

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

JOHNNY RAY HOUNSHELL

CASE NO: 10-10376-RLJ-13

HEARING DATE: 8/8/2011

HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
016 0 U	MEDICREDIT	\$251.00	019 0 U	VERIZON WIRELESS	\$106.52

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	BANK OF AMERICA NA	2005 RV	\$12,312.28	\$15,000.00	9.00%	18	\$863.35 PAID BY TRUSTEE
	Increased term from 17 to 18 months. See modification below.						
009 0	TOYOTA MOTOR CREDIT CORPORATION	2006 TOYOTA TUNDA	\$11,868.99	\$16,025.00	9.00%	18	\$831.51 PAID BY TRUSTEE
	Increased term from 17 to 18 months. See modification below.						
024 0 *	CISCO COLLEGE	2010 PROPERTY TAXES	\$28.75	\$28.75			PD DIRECT BY DEBTOR
	Not provided for in confirmed plan. See modification below.						
<u>PRIORITY CREDITORS</u>							
003 0 *	INTERNAL REVENUE SERVICE	2009 INCOME TAXES	\$1,605.28			34	\$66.89 PAID BY TRUSTEE
	Not provided for in confirmed plan. See modification below.						

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
010 0 U	ABILENE DIAGNOSTIC CLINIC	\$50.00	011 0 U	ABILENE REGIONAL MEDICAL CENTER	\$634.75
	MEDICAL SERVICES			MEDICAL SERVICES	
013 0 U	BECKET & LEE LLP	\$850.61	014 0 U	CHASE BANK USA	\$10,507.56
	PURCHASES/AMERICAN EXPRESS			PURCHASES	

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The secured claims filed by Toyota Motor Credit and Bank of America shall be treated over an 18 month plan term.

The secured claim filed by Cisco College for \$28.75 shall be fully valued and paid direct.

The priority portion of the IRS claim in the amount of \$1,605.28 shall be paid through the plan over 34 months with a payment of \$66.89 per month.

Debtors plan term shall increase from 34 to 35 months. Debtor shall pay \$2,110 per month beginning November 2010 for 35 months for a total plan base amount of \$73,850.00. Plan shall remain a 100% plan to the unsecured creditors.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 8/8/2011 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 6/1/2011

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

ABILENE DIAGNOSTIC CLINIC PO BOX 5409 ABILENE TX 79608
ABILENE REGIONAL MEDICAL CENTER 6250 HWY 83-84 ANTILLEY RD ABILENE TX 79606
BANK OF AMERICA ATTN: BANKRUPTCY NC4-105-02-77 PO BOX 26012 GREENSBORO NC 27420
BANK OF AMERICA NA PO BOX 26012 NC4-105-02-77 GREENSBORO NC 27410
BECKETT & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355
CHASE 201 N WALNUT ST DEL 1027 WILMINGTON DE 19801
CHASE BANK USA PO BOX 15145 WILMINGTON DE 19850
CISCO COLLEGE 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
CITIBANK USA ATTN: CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195
DOTTIE S RUSH-HOUNSHELL 11500 BAR HARBOR ALBUQUERQUE NM 87111
ECAST SETTLEMENT CORPORATION PO BOX 29262 NEW YORK NY 10087
GE MONEY BANK C/O RECOVERY MANAGEMENT SYSTEMS CORP 25 SE 2ND AVE STE 1120 MIAMI FL 33131
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101
JOHNNY RAY HOUNSHELL 5017 HIGHWAY 183 CISCO TX 76437
LINEBARGER GOGGAN BLAIR & SAMPSON 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
MEDICREDIT 939 N HWY 67 FIORISSANT MO 63031
MONTE J WHITE & ASSOCIATES PC ATTORNEY AT LAW ABILENE 402 CYPRESS SUITE 310 ABILENE TX 79601
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
PRESBYTERIAN KASEMAN 8300 CONSTITUTION AVE ALBUQUERQUE NM 87110
PROFESSIONAL ACCOUNT SERVICES INC PO BOX 188 BRENTWOOD TN 37024
SEARS/CBSD 701 EAST 60TH ST N SIOUX FALLS SD 57117
TOYOTA MOTOR CREDIT 16945 NORTHCHASE DR STE HOUSTON TX 77060
TOYOTA MOTOR CREDIT CORPORATION 5005 NORTH RIVER BLVD NE CEDAR RAPIDS IA 52411
TOYOTA MOTOR CREDIT CORPORATION PO BOX 8026 CEDAR RAPIDS IA 52408
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
VERIZON WIRELESS PO BOX 660108 DALLAS TX 75266
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242